

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 13-17 are in this case. Claim 13 has been allowed. Claims 14-17 have been rejected under § 102(e).

Independent claim 14 has now been amended as suggested by the Examiner in a telephone interview detailed below. All claims are now in condition for allowance.

Interview Summary

Reference is made to a telephone interview conducted on July 3, 2007, between Examiner Elizabeth McNeill of the PTO and the Applicant's representative. The interview related to the § 102(e) rejection of independent claim 14 over the Gartstein et al. reference (US 6652478). Agreement was reached as to an amendment which would render independent claim 14 allowable, as will be detailed below.

The Applicant questioned how the claim language of independent claim 14 could be read on Figures 32-34 of Gartstein et al. as suggested in the Official Action. Specifically, the Applicant pointed out that the claim language requires an "*inclined surface extending from said penetrating tip towards said front surface of the substrate*", and "*a fluid flow channel ... intersecting with said inclined surface*." The Applicant submitted that the structures of Gartstein et al. referred to in the Official Action do not seem to answer to these structural definitions.

After consultation with her supervisor, the Examiner suggested that an addition to claim 14 paragraph (b)(ii) stating that "*an entirety of said at least one inclined surface being inclined*" would preclude any unintended reading of the "*inclined surface*" terminology, and would render the claim allowable.

The Applicant has now implemented the amendment proposed by the Examiner and believes that all outstanding issues are thereby resolved. In the event that the Examiner finds any remaining minor issues unresolved, the Applicant respectfully requests that the Examiner contact the Applicant's representative in order to facilitate prompt resolution of all issues. A message can be sent to the Applicant's representative via electronic mail to: [mark\\_f@friedpat.com](mailto:mark_f@friedpat.com) . The Applicant hereby authorizes the use of electronic mail for all purposes relating to this application.

The Applicant thanks the Examiner for her helpful assistance and guidance in this matter.

#### § 102(e) Rejections

The Examiner has rejected claims 14-17 under § 102(e) as being anticipated by Gartstein et al. (US 6652478). The Examiner's rejections are respectfully traversed.

While continuing to traverse the Examiner's rejections, the Applicant has, in order to expedite the prosecution, chosen to amend independent claim 14 as agreed with the Examiner in the above-referenced interview, further specifying that "*an entirety of said at least one inclined surface [is] inclined.*"

As agreed with the Examiner, the Applicant understands that the amendment of the claims overcomes the Examiner's rejections under § 102(e).

In view of the above amendments and remarks it is respectfully submitted that independent claim 14, and hence also dependent claims 15-17, are in condition for allowance. Independent claim 13 has already been allowed. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

  
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